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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,896	07/25/2003	Hassan Mahini	2002-014	4007

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CARY, NC 27511

EXAMINER

BALAOING, ARIEL A

ART UNIT	PAPER NUMBER
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2617

MAIL DATE	DELIVERY MODE
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11/15/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/627,896

Applicant(s)

MAHINI, HASSAN

Examiner

Ariel Balaoing

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2007.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-10,13-19 and 22-34 is/are pending in the application.
- 4a) Of the above claim(s) 29-34 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-10,13-19 and 22-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 04/18/2007 have been fully considered but they are not persuasive.

Regarding Applicant's arguments that *"Although Kraft removes the individual missed call numbers from their respective lists, Kraft does not disclose deleting the missed call item (i.e., "1.10 Missed calls") from the "event list" only after the user has responded to the last missed call. In contrast, Kraft appears only to delete these items based on the number of available positions on the list, and/or the length of time the items have been on the list. That is, Kraft either "shifts" the list items and deletes the last item, or deletes the oldest item on the list. This does not teach automatically deleting an event from an event list only after the user responds to the event, and only if there are no more events associated with the category of events"* (see page 12 of the remarks). While the "redo and undo" list (i.e. event list) discloses adding events such as missed calls, the events on the list further consists of various functions of the disclosed handset. This can be seen for example on **18**-Figure 3 and col. 4, line 41-49.

Furthermore, Kraft shows as an example on col. 5, line 65-col. 6, line 3, an event in which two items of the same category are included (switch light on/off 1.3, 1.7) in which the oldest is automatically removed from the list. Another example of this feature is disclosed on col. 6, line 57-63, wherein only three outgoing numbers are allowed onto the list wherein the oldest one (i.e. last outgoing number event) is removed upon appearance of a new number. Therefore Kraft discloses both automatically deleting an

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event from said event list when a user responds to an event (responding to a missed call as shown on col. 7, line 26-34), and automatically deleting an event from said event list if the event is the last event associated with a category of similar events on said event list (as shown in the examples above).

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4-7, 10, 13-16, 19, 22-25, and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by KRAFT (6,381,474 B1).

Regarding claim 1, KRAFT discloses a method accessing functions in a mobile communication device (abstract) comprising: dynamically updating an event list [redo & undo list] responsive to designated events by adding events to said event list when a new event occurs and automatically deleting an event from said event list when a user responds to the event (abstract; col. 1, line 48-col 2, line 50; col. 3, line 3-col. 4, line 16; col. 4, line 50-col. 5, line 8; col. 6, line 14-63; col. 7, line 25-47; events are added to the list according to various occurrences. Automatic deletion is provided when a user responds to an item with multiple occurrences, or when a user responds to a missed event such as a missed call), and if the event is the last event associated with a category of similar events on said event list (col. 5, line 65-col. 6, line 3; col. 6, line 57-63); displaying said event list to a user on a display (Figure 3; abstract); associating a

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menu item in a hierarchical menu with each event in said event list (abstract; col. 1, line 48-col 2, line 50; col. 3, line 3-col. 4, line 16; col. 4, line 50-col. 5, line 8; col. 6, line 14-63; col. 7, line 25-47; selection of items in the event list can launch various applications which reside in different sub-menus); and invoking the associated menu item in said hierarchical menu responsive to selection of an event from said event list by said user (abstract; col. 1, line 48-col 2, line 50; col. 3, line 3-col. 4, line 16; col. 4, line 50-col. 5, line 8; col. 6, line 14-63; col. 7, line 25-47).

Regarding claim 4, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. KRAFT further discloses wherein said event list is displayed responsive to entry of a shortcut command by said user (abstract; Figure 3; col. 3, line 57-col. 4, line 8; col. 4, line 50-57; col. 7, line 44-51).

Regarding claim 5, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. KRAFT further discloses further comprising sorting said event list before said event list is displayed (col. 2, line 39-58; col. 7, line 52-64).

Regarding claim 6, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. KRAFT further discloses wherein said event list is sorted in time order (col. 2, line 39-58; col. 7, line 52-64).

Regarding claim 7, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. KRAFT further discloses wherein said event list is sorted based on priorities assigned to said events on said event list (col. 2, line 39-58; col. 7, line 52-64).

Regarding claim 10, KRAFT discloses a mobile communication device (abstract) comprising: a display for displaying menu items in a hierarchical menu for selection by a user (abstract; Figure 3; col. 3, line 57-col. 4, line 8; col. 4, line 50-57; col. 7, line 44-51); a memory for storing an event list (col. 1, line 52-col. 2, line 50); a processor configured to: dynamically update said event list responsive to designated events by adding events to said event list when a new designated event occurs and automatically deleting an event from said event list when a user responds to the event (abstract; col. 1, line 48-col. 2, line 50; col. 3, line 3-col. 4, line 16; col. 4, line 50-col. 5, line 8; col. 6, line 14-63; col. 7, line 25-47; events are added to the list according to various occurrences. Automatic deletion is provided when a user responds to an item with multiple occurrences, or when a user responds to a missed event such as a missed call), and if the event is the last event associated with a category of similar events on said event list (col. 5, line 65-col. 6, line 3; col. 6, line 57-63); display said event list on a display for viewing by a user (Figure 3; abstract); associate a menu item in a hierarchical menu with each event in said event list (abstract; col. 1, line 48-col. 2, line 50; col. 3, line 3-col. 4, line 16; col. 4, line 50-col. 5, line 8; col. 6, line 14-63; col. 7, line 25-47); and invoke the associated menu item in said hierarchical menu responsive to selection by said user of an event from said event list (abstract; col. 1, line 48-col. 2, line 50; col. 3, line 3-col. 4, line 16; col. 4, line 50-col. 5, line 8; col. 6, line 14-63; col. 7, line 25-47).

Regarding claim 13, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. KRAFT further discloses wherein the processor

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displays said event list responsive to entry of a shortcut command by said user (abstract; Figure 3; col. 3, line 57-col. 4, line 8; col. 4, line 50-57; col. 7, line 44-51).

Regarding claim 14, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. KRAFT further discloses wherein the processor sorts said event list before said event list is displayed (col. 2, line 39-58; col. 7, line 52-64).

Regarding claim 15, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. KRAFT further discloses wherein the processor sorts said event list in time order (col. 2, line 39-58; col. 7, line 52-64).

Regarding claim 16, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. KRAFT further discloses wherein the processor sorts said event list based on priorities assigned to said events on said event list (col. 2, line 39-58; col. 7, line 52-64).

Regarding claim 19, KRAFT discloses a circuit for controlling a user interface including a display (abstract), said circuit comprising a processor programmed to: generate and dynamically update said event list responsive to designated events by adding events to said event list when a new designated event occurs and automatically deleting an event from said event list when a user responds to the event (abstract; col. 1, line 48-col. 2, line 50; col. 3, line 3-col. 4, line 16; col. 4, line 50-col. 5, line 8; col. 6, line 14-63; col. 7, line 25-47; events are added to the list according to various occurrences. Automatic deletion is provided when a user responds to an item with multiple occurrences, or when a user responds to a missed event such as a missed

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call), and if the event is the last event associated with a category of similar events on said event list (col. 5, line 65-col. 6, line 3; col. 6, line 57-63); display said event list on a display for viewing by a user (Figure 3; abstract); associate a menu item in a hierarchical menu with each event in said event list (abstract; col. 1, line 48-col 2, line 50; col. 3, line 3-col. 4, line 16; col. 4, line 50-col. 5, line 8; col. 6, line 14-63; col. 7, line 25-47); and invoke the associated menu item in said hierarchical menu responsive to selection by said user of an event from said event list (abstract; col. 1, line 48-col 2, line 50; col. 3, line 3-col. 4, line 16; col. 4, line 50-col. 5, line 8; col. 6, line 14-63; col. 7, line 25-47).

Regarding claim 22, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. KRAFT further discloses wherein the processor displays said event list responsive to entry of a shortcut command by said user (abstract; Figure 3; col. 3, line 57-col. 4, line 8; col. 4, line 50-57; col. 7, line 44-51).

Regarding claim 23, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. KRAFT further discloses wherein the processor sorts said event list before said event list is displayed (col. 2, line 39-58; col. 7, line 52-64).

Regarding claim 24, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. KRAFT further discloses wherein the processor sorts said event list in time order (col. 2, line 39-58; col. 7, line 52-64).

Regarding claim 25, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. KRAFT further discloses wherein the processor

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sorts said event list based on priorities assigned to said events on said event list (col. 2, line 39-58; col. 7, line 52-64).

Regarding claim 28, KRAFT discloses a computer readable medium having logic stored thereon, the logic configured to control a user interface in a mobile communication device, and to control said mobile communication device (abstract), said program including instructions to cause said mobile communication device to: add events to a dynamically updated event list responsive to designated events (abstract; col. 1, line 48-col 2, line 50; col. 3, line 3-col. 4, line 16; col. 4, line 50-col. 5, line 8; col. 6, line 14-63; col. 7, line 25-47); automatically delete an event from said event list when the user responds to the event on said event list (abstract; col. 1, line 48-col 2, line 50; col. 3, line 3-col. 4, line 16; col. 4, line 50-col. 5, line 8; col. 6, line 14-63; col. 7, line 25-47), and if the event is the last event associated with a category of similar events on said event list (col. 5, line 65-col. 6, line 3; col. 6, line 57-63); display said event list on a display for viewing by a user (Figure 3; abstract); associate a menu item in a hierarchical menu with each event in said event list (abstract; col. 1, line 48-col 2, line 50; col. 3, line 3-col. 4, line 16; col. 4, line 50-col. 5, line 8; col. 6, line 14-63; col. 7, line 25-47); and invoke the associated menu item in said hierarchical menu responsive to selection by said user of an event from said event list (abstract; col. 1, line 48-col 2, line 50; col. 3, line 3-col. 4, line 16; col. 4, line 50-col. 5, line 8; col. 6, line 14-63; col. 7, line 25-47).

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 8, 9, 17, 18, 26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over KRAFT (6,381,474 B1) in view of ROTH (US 6,266,060 B1).

Regarding claim 8, see the rejections of the parent claim concerning the subject matter this claim is dependant upon. Although KRAFT discloses using priority sorting (col. 2, line 39-58; col. 7, line 52-64), KRAFT does not expressly disclose wherein said priorities are assigned to said events on said event list by the user. ROTH discloses wherein said priorities are assigned to said events on said event list by the user (column 13:line 21-column 14:line 33). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the craft to include the menu sorting abilities described in ROTH as both disclose a way to prioritize menu rankings. As stated by ROTH, *it should be understood that the present invention can be used to arrange any menu of user-selectable items regardless of the medium that is used to present the menu* (column 5:lines 30-38, column 5:lines 46-59, column 6:lines 31-42). This is beneficial in that it allows for various sorting techniques in any menu environment of user-selectable items.

Regarding claim 9, see the rejections of the parent claim concerning the subject matter this claim is dependant upon. The combination of KRAFT and ROTH further discloses wherein said event list is sorted based on usage statistics associated with said events on said event list (ROTH - column 13:line 21-column 14:line 33).

Regarding claim 17 and 26, see the rejections of the parent claims concerning the subject matter these claims are dependant upon. Although KRAFT discloses using priority sorting (col. 2, line 39-58; col. 7, line 52-64), KRAFT does not expressly disclose wherein said priorities are assigned to said events on said event list by the user. ROTH discloses wherein said priorities are assigned to said events on said event list by a user (column 13:line 21-column 14:line 33). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the craft to include the menu sorting abilities described in ROTH as both disclose a way to prioritize menu rankings. As stated by ROTH, *it should be understood that the present invention can be used to arrange any menu of user-selectable items regardless of the medium that is used to present the menu* (column 5:lines 30-38, column 5:lines 46-59, column 6:lines 31-42). This is beneficial in that it allows for various sorting techniques in any menu environment of user-selectable items.

Regarding claim 18 and 27, see the rejections of the parent claims concerning the subject matter these claims are dependant upon. The combination of KRAFT and ROTH further discloses wherein the processor sorts said event list based on usage statistics associated with said events on said event list (ROTH - column 13:line 21-column 14:line 33).

Conclusion

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ariel Balaoing whose telephone number is (571) 272-7317. The examiner can normally be reached on Monday-Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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AB



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